

REMARKS

Claims 1-10, 12-17 and 19-25 are pending in the present application. Claim 26 has been cancelled. Reconsideration in view of the following remarks is kindly requested.

Reference to Related Application

Applicants request that the Examiner please note that this case is a continuation-in-part of parent application 10/692,351. Although Applicant's representative has previously communicated a request to the Examiner and his supervisor that the parent application be transferred into art unit 2815 (as the office actions almost mirror each other), Applicants reiterate the request to transfer the parent application into art unit 2815.

Improper Finality of Office Action

Applicants submit that the Final Office Action mailed November 16, 2005 is improper for the following reasons. With regard to dependent claims 16, 17, 19, 20 and 25, the Office Action makes no reference with regard to any of Jaffe, Gramann et al., Cary or Jory et al, as to the features specifically recited in these claims. Accordingly, the Office Action issued by the Examiner is incomplete. Applicants would have brought this to the Examiner's attention earlier, but recently replaced its attorney-of-record between the issuance of the Final Office Action and this reply.

As the Examiner has not acted on these dependent claims, Applicants can only presume that these claims contain allowable subject matter. The Examiner ordinarily should reject each claim on all valid grounds available, including prior art or other formal grounds, or should indicate the allowability of the subject matter in the absence of any valid grounds of rejection. Piecemeal examination should be avoided as much as possible. See, MPEP §707.07(g).

Accordingly, for at least the above noted reasons, Applicants kindly request the Examiner withdraw the finality and issue another office action on the merits, or in the alternative, grant Applicants an interview to move this case forward and expedite prosecution.

CLAIM REJECTIONS

35 U.S.C. §103

Claims 1-5, 8, 16, 17, 19, 20, 25 and 26 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jaffe (U.S. Patent No. 3,760,237) in view of Gramann et al. (U.S. Patent No. 5,907,151). This rejection is respectfully traversed.

Initially, claim 26 is cancelled, the rejection as to claim 26 is now moot. Applicants respectfully submit that Jaffe, alone or in combination with Gramann et al. fail to teach or suggest a light emitting die package, comprising, at least: “a reflecting plate coupled to said substrate and substantially surrounding the mounting pad, said reflector plate defining a reflection surface” in combination with the other features or structural correlation recited in independent claim 1, and as similarly recited in independent claim 25.

Applicants submit that the light director relied on by the Examiner in Jaffe (Fig. 3, conical light director 22) is in no way analogous or equivalent to the reflector plate 40 described in the present application. A piece of hardened rubber is not a metal plate. The reflector plate 40 in the instant application holds the lens 50 via ledge 44 and acts as a heat sink. Jaffe’s light director 22 in no way can serve as a heat sink. Reflector plate 40 includes reflective surface 42 substantially surrounding the LED assembly 60. The reflective surface 42 reflects light from the LED assembly 60 and includes angled flat surfaces which can be parabolic or angled, for example.

The conical light director 22 in Jaffe merely encapsulates an LED 12 and is made of a viscous, deformable material (silicon rubber) which is transmissive, not reflective. The conical light director 22, once fully cured as a plastic monomer 22, is able to retain its conical shape, but can give due to slight relative movement between the diode 12 and lens cap 21 so as to remain in contact with the diode 12 and the lens cap 21 and to maintain effective light coupling there between. (Jaffe, Col. 3, lines 25-31). Accordingly, for at least the above noted reasons, Applicants kindly request the Examiner withdraw the rejection and indicate the allowance of independent claim 1 and 25.

Notwithstanding the above, Gramman et al. is not combinable with Jaffe. As shown in Gramman et al., the traces are not in the same plane. Accordingly, any attempt to combine the traces in multiple planes (as shown in Gramman et al. with the configuration as shown in Jaffe would essentially destroy the Jaffe configuration. For at least this additional reason, the combination of Jaffe in view of Gramman et al. is improper.

Additionally, various ones of the dependent claims make the distinctions over the combination even more apparent. For example, neither Jaffe nor Gramman et al. teach or suggest a substrate which includes flanges along a side thereof for mechanically engaging the reflector plate, as recited in claim 16. Nor does Jaffe or Gramman teach or suggest of a reflector plate having at least one leg mechanically engaging in a substrate for increased thermal transfer, as recited in dependent claim 20. With regard to claim 19, neither Jaffe nor Gramman et al. teach or suggest of a light emitting die package in which a reflector plate comprises of material having high thermal conductivity.

In Jaffe, the conical light director 22 is made of a silicon rubber for transmissive purposes; in other words, such a material is clearly a poor conductor of thermal energy, unlike a suitable metal or like material (e.g, reflector plate 40).

For at least these additional reasons, Applicants submit that these dependent claims are allowable over the art of record. Reconsideration and withdrawal of the rejections as pertaining to at least claims 16, 19 and 20 is kindly requested.

Claims 6 and 7 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jaffe and Gramman et al., in view of Carey et al. (U.S. Patent No. 6,274,924). This rejection is respectfully traversed.

The Examiner relies on Carey for limited teachings of substrate materials. However, Carey fails to cure the deficiencies noted in Jaffe and Gramman et al., namely it fails to teach the reflector plate as recited in claims 1 and 25. Accordingly, claims 6 and 7 are allowable at least for the reason that these claims depend off allowable claim 1. Withdrawal of this rejection is kindly requested.

Claims 9, 10, 12 and 13 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jaffe and Gramman et al., in view of Jory et al. (U.S. Patent No. 6,501,103). This rejection is respectfully traversed.

The Examiner relies on Jory for its limited teachings. However, Jory fails to cure the deficiencies noted in Jaffe and Gramman et al., namely it fails to teach the reflector plate as recited in claims 1 and 25. Accordingly, claims 9, 10, 12 and 13 are allowable at least for the reason that these claims depend off allowable claim 1. Withdrawal of this rejection is kindly requested.

Claim 14 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jaffe, Gramman et al. and Jory et al., in view of Kuwabara et al. (U.S. Patent No. 6,124,635). This rejection is respectfully traversed.

The Examiner relies on Kuwabara for its limited teachings. However, Kuwabara fails to cure the deficiencies noted in Jaffe, Gramman et al. and Jory et al., namely it fails to teach the

reflector plate as recited in claims 1 and 25. Accordingly, claim 14 is allowable at least for the reason that it depends off of allowable claim 1. Withdrawal of this rejection is kindly requested.

Claim 15 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jaffe and Gramman et al., in view of Maekawa et al. (U.S. Patent No. 6,281,435). This rejection is respectfully traversed.

The Examiner relies on Maekawa for its limited teachings. However, Maekawa fails to cure the deficiencies noted in Jaffe and Gramman et al., namely it fails to teach the reflector plate as recited in claims 1 and 25. Accordingly, claim 15 is allowable at least for the reason that this claim depends off of allowable claim 1. Withdrawal of this rejection is kindly requested.

Claim 21 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jaffe and Gramman et al., in view of Mills et al. (U.S. Patent No. 6,525,386). This rejection is respectfully traversed.

The Examiner relies on Mills et al. for its limited teachings. However, Mills et al. fails to cure the deficiencies noted in Jaffe and Gramman et al., namely it fails to teach the reflector plate as recited in claims 1 and 25. Accordingly, claim 21 is allowable at least for the reasons that it depends off of allowable claim 1. Withdrawal of this rejection is kindly requested.

Claim 22 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jaffe and Gramman et al., in view of Butterworth et al. (U.S. Patent No. 5,847,507). This rejection is respectfully traversed.

The Examiner relies on Butterworth et al. for its limited teachings. However, Butterworth fails to cure the deficiencies noted in Jaffe and Gramman et al., namely it fails to teach the reflector plate as recited in claims 1 and 25. Accordingly, claim 22 is allowable at least for the reason that it depends off of allowable claim 1. Withdrawal of this rejection is kindly requested.

Claim 23 and 24 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Jaffe and Gramman et al., in view of Barnett et al. (U.S. Patent No. 6,541,800). This rejection is respectfully traversed.

The Examiner relies on Barnett et al. for its limited teachings. However, Barnett et al. fail to cure the deficiencies noted in Jaffe and Gramman et al., namely it fails to teach the reflector plate as recited in claims 1 and 25. Accordingly, claims 23 and 24 are allowable at least for the reason that these claims depend off allowable claim 1. Withdrawal of this rejection is kindly requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-10, 12-17 and 19-25 in connection with the present application is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a one (1) month extension of time for filing a reply to the outstanding Office Action and submit the required \$120.00 extension fee herewith.

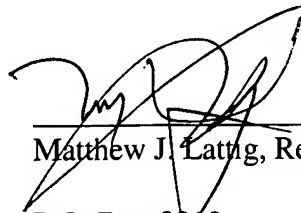
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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